

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

WAFAA ELHOMOSANY / A LOVELY HOME CHILD CARE, INC., SP 2014-SP-043 Appl. under Sect(s). 8-305 of the Zoning Ordinance to permit home child care facility. Located at 6120 Glen Oaks Ct., Springfield, 22152, on approx. 5,444 sq. ft. of land zoned R-5. Springfield District. Tax Map 79-3 ((23)) 20 A. Mr. Byers moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on July 23, 2014; and

WHEREAS, the Board has made the following findings of fact:

1. The applicant is the owner of the land.
2. The zoning is R-5.
3. The area of the lot is 5,444 square feet.
4. The staff recommends approval. In a prior application at 6126 Glen Oaks Court, staff recommended denial, because it was on the corner, and there were the same parking issues. That was for 10 children, and it is assumed that this childcare center now has 12. They are authorized to have 12.
5. Once again, there is the issue of 7:30 a.m. to 9:00 a.m. drop-off. That is a maximum of 12 cars over an hour and a half.
6. Mr. Byers had been down the cul-de-sac, and looked at this in excruciating detail during the previous case. It was a tough case last time, and he thought it was deferred four or five times. There were significant issues with it.
7. Part of the rationale for approval of this case is that the other home child care, which was two doors away, is no longer in operation. If they were both in operation, then you start to reach issues with regard to too many in one area.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

1. This approval is granted to the applicant only, Wafaa Elhomosany, d/b/a A Lovely Home Child Care, and is not transferable without further action of the Board,

and is for the location indicated on the application, 6120 Glen Oaks Court, and is not transferable to other land.

2. This special permit is granted only for the home child care use indicated on the plat titled, "Lot Layout, Address: 6120 Glen Oaks Ct, Springfield, VA 22152," as prepared by Moustafa Awad on February 27, 2014, and approved with this application, as qualified by these development conditions.
3. A copy of this special permit **SHALL BE POSTED IN A CONSPICUOUS PLACE ON THE PROPERTY** of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. The maximum hours of operation of the home child care facility shall be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday.
5. The dwelling that contains the child care facility shall be the primary residence of the applicant.
6. The maximum number of children on site at any one time shall be twelve, excluding the applicant's own children.
7. The maximum number of assistants for the home child care shall be two.
8. All pickup and drop-off of children shall take place in the driveway during the hours of 8:00 a.m. and 3:30 p.m., and may take place in the street in front of the house before 8:00 a.m. and after 3:30 p.m. Anyone associated with the home child care who parks in the street between 8:00 a.m. and 3:30 p.m. shall obtain an approved parking permit on file with the County or a visitor's parking permit.
9. The driveway will be kept clear during all drop-off and pickup times for the children.
10. There shall be no signage associated with the home child care facility.
11. All applicable permits and inspections shall be obtained prior to the establishment of the use, to be demonstrated to the satisfaction of the Zoning Administration Division, including any electrical or plumbing inspections as may be required.

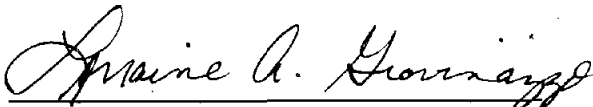
This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, six months after the date of approval unless the use has been established as outlined above. The Board of Zoning Appeals may grant additional time to

establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested, and an explanation of why additional time is required.

Ms. Theodore seconded the motion, which carried by a vote of 6-0-1. Mr. Hart abstained from the vote.

A Copy Teste:

A handwritten signature in cursive script, reading "Lorraine A. Giovinazzo".

Lorraine A. Giovinazzo, Deputy Clerk
Board of Zoning Appeals